



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Robertson, Anschutz & Schneid, P.L.

6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone Number 561-241-6901
Attorneys For Secured Creditor,

Aleisha Jennings, Esq. (AJ-2114)

Case No.: 18-10180-VFP

In Re:

Daryl L Smith,

Debtor.

Judge: Vincent F. Papalia

Hearing Date:

Chapter 13

Order Filed on April 17, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**AGREED ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
REQUEST TO ENTER INTO LOSS MITIGATION**

The relief set forth on the following pages, number two (2) through two (3) is hereby **ORDERED**.

DATED: April 17, 2018

A handwritten signature of Vincent F. Papalia in black ink, written over a horizontal line.

**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

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Secured Creditor: DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR RESIDENTIAL ACCREDIT LOANS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-QS3

Secured Creditor's Counsel: Robertson, Anschutz & Schneid, P.L.

Debtor's Counsel: Robert C. Nisenson, LLC

Property Involved ("Collateral"): 92 Roland Ave, South Orange, NJ 07079

Relief sought: III Motion for relief from the automatic stay
 III Motion to dismiss
 • Debtor's request to enter into loss mitigation

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Debtors must complete a Loan Modification within 90 days of entry of this Order.
2. Beginning on 05/01/2018, regular monthly mortgage payments shall continue to be made in the amount of \$3,290.56, subject to periodic adjustments for escrow and/or variable interest rates.
3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular Monthly Payment: Ocwen Loan Servicing, LLC
Attn: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

4. In the event that any such mortgage modification or other consensual resolution is not available, or if the Debtors fail to complete a loan modification as specified above, fail to comply with the Loss Mitigation Order, or fail to make continuing payments after the completion of a loan modification, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy

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Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

5. Award of Attorneys' Fees:

- The Secured Creditor is awarded attorney fees and costs of \$500.00.

The fees and costs are payable:

- Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned consent to the terms, conditions and entry of this Order:

By:  _____

Robert C. Nisenson, Esq.

Attorney for Debtor

Date:

By: /s/ALEISHA C. JENNINGS

Aleisha Jennings, Esq.

Attorney for Secured Creditor

Date: 4/10/18